

REMARKS

Claims 26-49 were presented for examination in the present application and remain pending upon entry of the instant election. Applicant respectfully reserves the right to file a divisional application directed to the non-elected subject matter.

The Office Action requires restriction under PCT Rule 13.1 between the process of Group I (claims 26-44) and the intermediate product of Group II (claims 45-49).

Applicant provisionally elects, with traverse, the invention of Group I, which includes claims 26-44. Specifically, Applicant requests examination of the intermediate product of Group II (claims 44-49) along with the examination of the elected process of Group I.

Specifically, Applicants respectfully submit that the Office Action, in asserting that the claims fail to relate to a single general inventive concept, has focused on differences within the claims but has failed to consider the common features, namely the common inventive concept as required by PCT Rule 13.1.

Moreover, if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. See MPEP 803.

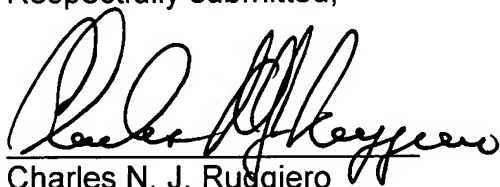
Applicants respectfully submit that searching elected Group I is likely to result in finding art pertinent to non-elected Group II. Thus, it is respectfully submitted that searching and examining the subject matter of the non-elected group, along with elected Group I, does not place a serious burden on the Examiner. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the Requirement for Restriction with regard to Group II. Applicant therefore requests examination of Group II along with the examination of elected Group I.

In view of the above, it is respectfully submitted that the present application is in condition for examination. Applicant respectfully requests favorable consideration and passage of this application to allowance.

If for any reason the Examiner feels that consultation with Applicant's attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,

December 15, 2008

A handwritten signature in black ink, appearing to read "Charles N. J. Ruggiero", is written over a horizontal line.

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